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By

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Zheng J. Li, *et al.*

Examiner: Peselev, Elli

APPLICATION NO.: 10/650,252

Group Art Unit: 1623

FILING DATE: August 27, 2003

TITLE: CRYSTAL FORMS OF AZITHROMYCIN

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Commissioner for Patents
P.O. Box 1450
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Sir:

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The owner, Pfizer Inc., of 100 % interest in the instant application hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the patent issued from its co-pending application U.S.S. No. 10/152,106 filed on May 21, 2002, are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.


In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the patent issued from its co-pending application U.S.S. No. 10/152,106, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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Authorization is hereby provided to charge the Terminal disclaimer fee under 37 CFR 1.20(d) and any additional fees due, or to credit any overpayments to Account Number 16-1445. Two copies of this paper are enclosed.

Respectfully submitted,

DATE: 04/12/05


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